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May 28, 2020

VIA ECF

The Honorable James Orenstein
United States Magistrate Judge
Eastern District of New York
Courtroom 11D South
225 Cadman Plaza East
Brooklyn, New York 11201

Re: ***Avelar v. Ciampa Management Corp., et al. 20-CV-210-AMD-JO (E.D.N.Y.)***

Dear Judge Orenstein:

This Firm represents the defendants Ciampa Management Corp., Douglas A. Ciampa and Victor Hidalgo (collectively, “Defendants”) in the above-referenced action. We are submitting this letter jointly with Nolan Klein, Esq., counsel for the plaintiff Luis Avelar (“Plaintiff”), to request additional time to submit a proposed notice to potential opt-in plaintiffs. At the May 14, 2020 Initial Conference, the Court directed the parties to submit that proposed notice today, May 28, 2020. The parties have not previously sought an extension of this deadline.

The parties have been discussing the proposed notice, as well as the potential for a settlement of this matter. To that end, Defendants have been working to provide some pre-discovery information to Plaintiff as an aid to settlement discussions. The parties respectfully request an extension of an additional three weeks in which to submit the proposed notice, so that they may use this time to determine whether an early resolution is possible. An extension of this deadline will not affect any other scheduling deadlines in this matter.

We apologize for submitting this request less than 48 hours before the deadline. We have been working to collect information for settlement discussions. If those discussions are successful, a notice will not be needed.

At this time, the parties do not believe that a settlement conference or a referral to court-sponsored mediation is necessary, as we hope to be able to resolve this matter between counsel. If the parties determine over the next several weeks that a settlement conference may be helpful, we will seek the Court’s assistance.

Respectfully submitted,
PHILLIPS NIZER LLP
/s/ Laura E. Longobardi
Laura E. Longobardi

LEL:

cc: Nolan Klein, Esq. (via ECF)